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★ MAR 23 2021 ★

LONG ISLAND OFFICE

MRM:OG
F. #2021R00241

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

JASON GABRIEL,

Defendant.

INDICTMENT

Cr. No. **CR 21 152**

(T. 18, U.S.C., §§ 2252(a)(2),
2252(a)(4)(B), 2252(b)(1), 2252(b)(2),
2253(a), 2253(b) and 3551 et seq.;
T. 21, U.S.C., § 853(p))

FEUERSTEIN, J.

THE GRAND JURY CHARGES:

SHIELDS, M.J.

COUNTS ONE THROUGH THREE
(Receipt of Child Pornography)

I. On or about the dates and times listed below, within the Eastern District of New York and elsewhere, the defendant JASON GABRIEL did knowingly and intentionally receive one or more visual depictions, to wit: the images depicted in the following computer files:

Count	Approximate Date and Time	File Name
ONE	May 17, 2019 at 10:50:04 am (UTC+0)	IMG_3467.png
TWO	May 17, 2019 at 10:50:58 am (UTC+0)	IMG_3468.png
THREE	May 17, 2019 at 10:55:26 am (UTC+0)	IMG_3469.png

using a means and facility of interstate and foreign commerce and which visual depictions had been mailed, and had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been mailed and so shipped and

transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions having been of such conduct.

(Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 3551 et seq.)

COUNT FOUR
(Possession of Child Pornography)

2. On or about November 19, 2020, within the Eastern District of New York and elsewhere, the defendant JASON GABRIEL did knowingly and intentionally possess matter containing one or more visual depictions, to wit: images depicted in digital files in an Apple iCloud account controlled by GABRIEL, in and affecting interstate and foreign commerce, and which visual depictions had been mailed, and shipped and transported using a means and facility of interstate and foreign commerce, and which were produced using materials which had been mailed, and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(4)(B), 2252(b)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendant that, upon his conviction of any of the offenses charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253(a), which requires the forfeiture

of (a) any visual depiction described in Section 2251, 2251A, 2252, 2252A, 2252B or 2260 of Title 18 of the United States Code, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of such sections; (b) any property, real or personal, constituting, or traceable to, gross profits or other proceeds obtained from such offenses; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses or any property traceable to such property, including but not limited to: one Lenovo tablet, model TB-8304F1, serial number HPV1697N; one ZTE cellular phone, serial number 321022722923; one UMX cellular phone, serial number U673566715049114; one iPhone 6s Plus, serial number C39RQJ1SGRWQ; one iPhone 7, serial number FYN20CHHG74; and one Samsung cellular phone, IMEI 354563110313227 seized on or about November 19, 2020 from the defendant's residence in or around Coram, New York.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be

divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), to seek forfeiture of any


other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 2253(a) and 2253(b); Title 21, United States Code, Section 853(p))

A TRUE BILL



FOREPERSON


MARK J. LESKO
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F #: 2021R00241
FORM DBD-54
JUN. 85

No. _____

UNITED STATES DISTRICT COURT
EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

JASON GABRIEL,

Defendant.

INDICTMENT

(T. 18. U.S.C., §§ 2252(a)(2), 2252(a)(4)(B), 2252(b)(1), 2252(b)(2),
2253(a), 2253(b) and 3551 et seq.; T. 21. U.S.C. § 853(p))

A true bill.

Karen Swiecicki

Foreperson

Filed in open court this _____ day,

of _____ A.D. 20____

Clerk

Bail, \$ _____

Oren Gleich, Assistant U.S. Attorney (631) 715-7889